

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Jens Stougaard Jensen et al.	Examiner: BUI, Phuong T.
Appln. No.: 10/563,194	Group Art Unit: 1638
Filing Date: May 30, 2006	Confirmation No.: 5997
Title: NOD-FACTOR PERCEPTION	Customer No.: 25764
	Docket No.: 83196 - 375528

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Commissioner for Patents
P. O. Box 1450
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I CERTIFY THAT THIS PAPER (ALONG WITH ANY REFERRED TO AS BEING ATTACHED OR ENCLOSED) IS BEING TRANSMITTED TO THE COMMISSIONER FOR PATENTS, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON AUGUST 30, 2010, VIA THE USPTO-EFS-WEB FILING SYSTEM.

/ Aurora Lowell /
Aurora Lowell

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This Amendment is responsive to the Notice of Non-Compliant Amendment and Advisory Action dated August 20, 2010 and to the Final Office Action dated May 28, 2010, the date for timely response set to expire on Saturday, August 28, 2010. This Amendment is timely filed on Monday, August 30, 2010.

The Amendment filed July 28, 2010 was considered non-compliant because it failed to meet the requirements of 37 CFR 1.121. Specifically, the claims were not in proper amended format – “deleted material must be lined through and not omitted.” The Amendment submitted herein provides correct claim identifiers for claims 60, 63 and 91.

This Amendment includes the following sections:

Amendments to the Specification begin on page 3;

Amendments to the Claims begin on page 5;

Remarks, beginning on page 13.

The Amendment filed July 28, 2010 was considered non-compliant and not entered by the Examiner. Accordingly, Applicants submit with this Amendment a request for full

refund of the additional claims fees paid with the filing of the July 28, 2010 Amendment, in the amount of \$286.00. The Commissioner is authorized to refund our Deposit Account No. 06 0029 and is requested to notify us of the same.

The present amendment contains 63 claims, including 3 independent claims. Applicants have previously paid extra claim fees for 5 independent claims (Amendment dated 1/2/2006) and 63 total claims (Amendment dated 2/16/2010). Because the present amendment does not exceed the highest number of independent or total claims for which fees have been paid, no additional claim fees are due with this Amendment.

Should any fee be required, the Commissioner is authorized to charge our Deposit Account No. 06 0029 for any additional fees due and is requested to notify us of the same.